

### REMARKS

Applicants respectfully request entry and consideration of this Amendment. Upon entry of this Amendment, claims 1-5 and 7-18 will remain pending with claim 6 having been canceled without prejudice or disclaimer. The changes to the claims are supported by the specification and original claims. No new matter is added as a result of this Amendment.

As an initial matter, Applicants note that claims 7 and 8 were not included in either of the rejections in the Office Action dated September 20, 2005. Hence, these claims are assumed to be in condition for allowance.

### Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-3 and 5 were rejected under 35 U.S.C. § 102(b) as purportedly anticipated by Itoh et al. (U.S. Pat. No. 5,578,419). The Office Action asserts Itoh describes each feature of these claims. Applicants respectfully traverse.

Independent claim 1 (from which claims 2-5 and 9-18 depend) has been amended to recite that  $R_1$  is  $-NHSO_2R_2$  or  $NHCOR_2$ . Itoh neither teaches nor fairly describes a dye formula having  $NHSO_2R_2$  or  $NHCOR_2$  in the position corresponding to  $R_1$  of the present claims. Hence, Itoh fails to teach each and every feature of claim 1 and thus cannot anticipate the claimed invention. In view of the above, Applicants respectfully submit this rejection is overcome and request it be withdrawn.

Claims 1-6 and 9-18 were rejected under 35 U.S.C. § 103(a) as purportedly obvious based on Itoh et al. in view of Cyr et al. (WO 02/12401). Applicants also traverse this rejection.

The deficiencies of Itoh with respect to the claimed invention are discussed above. Cyr fails to remedy these deficiencies. Neither Itoh nor Cyr teaches or fairly suggests an anthraquinone colorant having  $NHSO_2R_2$  or  $NHCOR_2$  in the position corresponding to  $R_1$  in the structure of claim 1. Moreover, there is nothing in the teachings of either document which would have motivated one of ordinary skill in the art

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to include such a feature. Hence, this rejection is also overcome and its withdrawal is respectfully requested.

In summary, Applicants believe the application to be in condition for allowance. Accordingly, the Examiner is respectfully requested to reconsider the rejection(s), enter the above amendment, remove all rejections, and pass the application to issuance.

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Respectfully submitted,

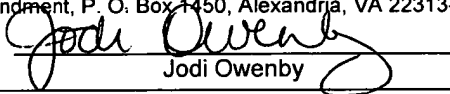


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Date

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P. O. Box 1450, Alexandria, VA 22313-1450.



Jodi Owenby

3/16/2006  
Date